

Notice of Allowability

Application No.

10/775,694

Examiner

RODNEY AMADIZ

Applicant(s)

MATLOCK ET AL.

Art Unit

2629

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Arguments/Remarks filed September 24, 2008.
2. ☒ The allowed claim(s) is/are 41,45-47 and 52-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/25/08
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

DETAILED ACTION
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brittany Maxey on September 25, 2008.

The application has been amended as follows: For Claim 45, please amend the first two lines as follows:

A light emitting display apparatus for displaying a stationary or animated ~~image~~ image on a rotating object, ~~such as, for example, a wheel of a vehicle,~~ the light emitting display

For Claim 46, please amend the first two lines as follows:

A light emitting display apparatus for displaying a stationary or animated ~~image~~ image on a rotating object, ~~such as, for example, a wheel of a vehicle,~~ the light emitting display

For Claim 47, please amend the first two lines as follows:

A light emitting display apparatus for displaying a stationary or animated ~~image~~ image on a rotating object, ~~such as, for example, a wheel of a vehicle,~~ the light emitting display

Allowable Subject Matter

2. Claims 41, 45-47 and 52-57 are allowed.
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuki et al.

U.S. Patent 5,949,346

The following is an examiner's statement of reasons for allowance: As to Claim 45, the prior art fails to teach or suggest, either alone or in combination the following limitations:

"A light emitting display apparatus for displaying a stationary or animated image on a rotating object...said microcontroller receives said signal and operates to select an image map and a column from said selected image map in accordance with said signal and configured to illuminate one or more of said light emitting elements in accordance with said selected image map, said selected column and said signal, thereby displaying said image as said support is rotated about the center of rotation so as to be viewed by humans... wherein said microcontroller determines the rotational frequency of said support from said signal and using said rotational frequency determines the linear velocity of the object to which said support is attached, and wherein said image is of a speedometer which dynamically displays said linear velocity." (Emphasis Added)

As to Claim 46, the prior art fails to teach or suggest, either alone or in combination the following limitations: "A light emitting display apparatus for displaying a stationary or animated image on a rotating object...said microcontroller receives said signal and operates to select an image map and a column from said selected image map in accordance with said signal and configured to illuminate one or more of said

light emitting elements in accordance with said selected image map, said selected column and said signal, thereby displaying said image as said support is rotated about the center of rotation so as to be viewed by humans...wherein said microcontroller determines the rotational acceleration of said support from said signal and using said rotational acceleration determines the linear acceleration of the object to which said support is attached, and wherein said image is of an accelerometer which dynamically displays said linear acceleration." (Emphasis Added)

As to Claim 47, the prior art fails to teach or suggest, either alone or in combination the following limitations: "A light emitting display apparatus for displaying a stationary or animated image on a rotating object...said microcontroller receives said signal and operates to select an image map and a column from said selected image map in accordance with said signal and configured to illuminate one or more of said light emitting elements in accordance with said selected image map, said selected column and said signal, thereby displaying said image as said support is rotated about the center of rotation so as to be viewed by humans...said microcontroller is encoded with the radius of the wheel and the vehicle mass to which the vehicle wheel is mounted, and further wherein said microcontroller determines the rotational acceleration of said support from said signal and using said rotational acceleration determines the linear acceleration of the wheel, and then using said linear acceleration determines the power of the vehicle using the said linear acceleration, the vehicle mass, and the radius of the wheel, and further wherein said image is of a vehicle instrumentation which dynamically displays the determined power of the vehicle." (Emphasis Added)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RODNEY AMADIZ whose telephone number is (571)272-7762. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629

/R. A./
Examiner, Art Unit 2629
9/25/08